

1 THOMAS F. LANDERS [SBN 207335]
tlanders@swsslaw.com
2 LEAH S. STRICKLAND [SBN 265724]
lstrickland@swsslaw.com
3 SOLOMON WARD SEIDENWURM & SMITH, LLP
4 401 B Street, Suite 1200
5 San Diego, California 92101
(t) 619.231.0303
(f) 619.231.4755

6 Attorneys for AVB SIMI VALLEY LP
f/k/a ARCHSTONE SIMI VALLEY LLC;
7 AVB SIMI VALLEY GP LLC;
AVALONBAY COMMUNITIES, INC.;
8 KIMBALL, TIREY & ST. JOHN, LLP;
CHRIS EVANS; and ASHLEY
9 ROSSETTO

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CHRISTOPHER PHILLIPS.

Plaintiff,

V.

ARCHSTONE SIMI VALLEY LLC;
AVALONBAY COMMUNITIES,
INC.; KIMBALL, TIREY & ST.
JOHN, LLP; CHRIS EVANS; and
ASHLEY ROSSETTO; FAIR
COLLECTIONS AND
OUTSOURCING OF NEW
ENGLAND, INC.; EQUIFAX
INFORMATION SERVICES, LLC;
TRANS UNION, LLC and DOES 1
TO 19.

Defendant.

Case No. 2:15-cv-05559-DMG-PLA

**DEFENDANTS AVB SIMI VALLEY
LP F/K/A ARCHSTONE SIMI
VALLEY LLC AND AVALONBAY
COMMUNITIES, INC.'S JOINT RULE
68 OFFER OF JUDGMENT**

Judge: Hon. Dolly M. Gee
Dept: 7

Magistrate Judge: Paul L. Abrams
Dept: G

1 With no admission of liability, and for the purpose of compromising all
2 disputes between, on the one hand, Plaintiff CHRISTOPHER PHILLIPS
3 ("Plaintiff") and, on the other hand, Defendants AVB SIMI VALLEY LP f/k/a
4 ARCHSTONE SIMI VALLEY LLC and AVALONBAY COMMUNITIES, INC.
5 ("Landlord Defendants"), Landlord Defendants hereby offer to allow entry of
6 judgment, pursuant to Rule 68 of the Federal Rules of Civil Procedure, on the
7 following terms:

8 1. Judgment for Plaintiff and against Landlord Defendants in the sum of
9 \$75,000.00.

10 2. Additionally, the Landlord Defendants will pay Plaintiff's reasonable
11 attorneys' fees incurred and costs accrued which arise from Plaintiff's sole
12 remaining claim against the Landlord Defendants for statutory retaliatory eviction,
13 as determined by the Court pursuant to noticed motion.

14 3. Pursuant to Federal Rule of Civil Procedure 68, this offer must be
15 accepted within fourteen (14) days of service, and is thereafter withdrawn.

16 DATED: March 6, 2017

SOLOMON WARD SEIDENWURM &
SMITH, LLP

18 By: 

THOMAS F. LANDERS
LEAH S. STRICKLAND
Attorneys for AVB SIMI VALLEY LP
f/k/a ARCHSTONE SIMI VALLEY LLC;
AVB SIMI VALLEY GP LLC;
AVALONBAY COMMUNITIES, INC.;
KIMBALL, TIREY & ST. JOHN, LLP;
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ROSSETTO

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lstrickland@swsslaw.com
3 SOLOMON WARD SEIDENWURM & SMITH, LLP
401 B Street, Suite 1200
4 San Diego, California 92101
(t) 619.231.0303
5 (f) 619.231.4755

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7 AVB SIMI VALLEY GP LLC;
AVALONBAY COMMUNITIES, INC.;
8 KIMBALL, TIREY & ST. JOHN, LLP;
CHRIS EVANS; and ASHLEY
9 ROSSETTO

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 CHRISTOPHER PHILLIPS,
13 Plaintiff,

14 v.

15 ARCHSTONE SIMI VALLEY LLC;
16 AVALONBAY COMMUNITIES,
INC.; KIMBALL, TIREY & ST.
17 JOHN, LLP; CHRIS EVANS; and
ASHLEY ROSETTO; FAIR
18 COLLECTIONS AND
OUTSOURCING OF NEW
19 ENGLAND, INC.; EQUIFAX
INFORMATION SERVICES, LLC;
20 TRANS UNION, LLC and DOES 1
TO 10,

21 Defendant.

Case No. 2:15-cv-05559-DMG-PLA

PROOF OF SERVICE

Judge: Hon. Dolly M. Gee
Dept: 7

Magistrate Judge: Paul L. Abrams
Dept: G

23 **STATE OF CALIFORNIA, COUNTY OF SAN DIEGO**

24 At the time of service, I was over 18 years of age and not a party to this
25 action. I am employed in the County of San Diego, State of California. My
26 business address is 401 B Street, Suite 1200, San Diego, CA 92101.

27 On March 6, 2017, I served true copies of the following document described
28 as:

**1. DEFENDANTS AVB SIMI VALLEY LP F/K/A ARCHSTONE
SIMI VALLEY LLC AND AVALONBAY COMMUNITIES,
INC.'S JOINT RULE 68 OFFER OF JUDGMENT**

on the interested parties in this action as follows:

Louis P Dell, Esq.
Louis P Dell Law Offices
715 South Victory Blvd.
Burbank, CA 91502
t: 818-478-2822
f: 818-436-5966
ldell@louisdell.com

Attorneys for Plaintiff
CHRISTOPHER PHILLIPS

9 **BY MESSENGER SERVICE:** I served the documents by providing them to
10 a professional messenger service for personal service on the persons listed above.

11 (A declaration by the messenger accompanying this Proof of Service shall be
12 available upon request.)

14 Jeanne L Zimmer, Esq.
15 June Grace Felipe, Esq.
16 Carlson and Messer LLP
17 5959 West Century Blvd., Suite 1214
18 Los Angeles, CA 90045
19 t: 310-242-2200
f: 310-242-2222
zimmerj@cmtlaw.com
felipeg@cmtlaw.com

*Attorneys for Defendant FAIR
COLLECTIONS AND OUTSOURCING
OF NEW ENGLAND INC.*

21 Thomas P. Quinn, Jr., Esq.
22 Nokes & Quinn APC
410 Broadway, STE 200
23 Laguna Beach, CA 92651
24 t: 949-376-3500
f: 949-376-3070
25 tquinn@nokesquinn.com

Attorneys for Defendant EQUIFAX INFORMATION SERVICES LLC

1 J. Anthony Love, Esq.
2 N. Charles Campbell, II, Esq.
3 King & Spalding LLP
4 1180 Peachtree Street NE
5 Atlanta, GA 30309
6 t: 404-215-5913
f: 404-572-5100
tlove@kslaw.com
ccampbell@kslaw.com

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Attorneys for Defendant *EQUIFAX INFORMATION SERVICES LLC*

8 **BY MAIL:** I enclosed the documents in sealed envelopes addressed to the
9 persons at the addresses listed above and placed the envelopes for collection and
10 mailing, following our ordinary business practices. I am readily familiar with
11 Solomon Ward Seidenwurm & Smith, LLP's practice for collecting and processing
12 correspondence for mailing. On the same day that correspondence is placed for
13 collection and mailing, it is deposited in the ordinary course of business with the
14 United States Postal Service, in a sealed envelope with postage fully prepaid. I am a
15 resident or employed in the county where the mailing occurred. The envelope was
16 placed in the mail at San Diego, California.

17 I declare under penalty of perjury under the laws of the United States of
18 America that the foregoing is true and correct.

19 Executed on March 6, 2017, at San Diego, California.

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21 SHANNON DEISSIG

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